
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 41

The Social Security Benefits Up-rating Order (Northern Ireland) 2001

Part I

Introduction

Citation and commencement

1.—(1) This Order may be cited as the Social Security Benefits Up-rating Order (Northern Ireland) 2001 and, subject to paragraphs (2) to (7), shall come into operation for the purposes of—

- (a) Articles 1, 2 and 6 on 1st April 2001;
- (b) Article 8, in so far as it relates to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 1st April 2001 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Computation of Earnings Regulations;
- (c) Article 9 on 6th April 2001;
- (d) Articles 3 to 5 and 11 to 13 on 9th April 2001;
- (e) Article 10 on 1st April 2001, except for the purpose of determining the rate of maternity allowance in accordance with section 35A(2) of the Contributions and Benefits Act(1), for which purpose it shall come into operation on 9th April 2001;
- (f) Article 7 on 11th April 2001;
- (g) Articles 14, 15 and 23 on 12th April 2001;
- (h) Articles 16 to 18, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 9th April 2001 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Income Support Regulations;
- (i) Article 19, in relation to a case where rent is or rates are payable at intervals of a week or any multiple thereof, on 2nd April 2001 and, in relation to any other case, on 1st April 2001; and
- (j) Articles 20 to 22, in so far as they relate to a particular beneficiary, on the first day of the first benefit week to commence for that beneficiary on or after 9th April 2001 and, for the purpose of this sub-paragraph, “benefit week” has the same meaning as in the Jobseeker’s Allowance Regulations.

(2) The increases made—

- (a) in the sums specified for rates or amounts of benefit under the Contributions and Benefits Act or the Pension Schemes Act; and

(1) Section 35A was inserted by Article 50(3) of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))

(b) by Article 20(c), in so far as it is relevant for the purposes referred to in Article 6(11), shall take effect for each case on the date specified in relation to that case in Article 6.

(3) In so far as Article 19(8) amends paragraph 15(1A) of Part IV of Schedule 2 to the Housing Benefit Regulations(2), it shall come into operation on 9th April 2001, immediately after the coming into operation of regulation 4(2)(c) of the Social Security (Bereavement Benefits Amendment) Regulations (Northern Ireland) 2000(3).

(4) Subject to paragraph (5), in so far as Articles 16(5), 19(8) and 21(5) and (6) amend the provisions specified in paragraph (6), they shall come into operation immediately after the coming into operation of—

- (a) regulations 2(2)(c) and 3(2)(c) of the Social Security (Bereavement Benefits Amendment) Regulations (Northern Ireland) 2000; and
- (b) regulations 2, 3 and 4, as the case may be, of the Social Security (Enhanced Disability Premium Amendment) Regulations (Northern Ireland) 2000(4).

(5) Where, in relation to a particular beneficiary—

- (a) both paragraph (4) and either of sub-paragraphs (h) and (j) of paragraph (1) apply; and
- (b) the coming into operation dates specified in relation to those provisions would not coincide,

then, in such a case, the coming into operation date for the purposes of paragraph (4) shall instead be the first day of the first benefit week to commence for that beneficiary after 9th April 2001.

(6) The provisions specified for the purposes of paragraph (4) are—

- (a) paragraph 15(1A) and (8) of Part IV of Schedule 2 to the Income Support Regulations(5);
- (b) paragraph 15(9) of Part IV of Schedule 2 to the Housing benefit Regulations(6);
- (c) paragraph 20(1A) and (9) of Part IV of Schedule 1 to the Jobseeker’s Allowance Regulations(7); and
- (d) paragraph 20M(6) of Part IVB of Schedule 1 to the Jobseeker’s Allowance(8).

(7) In so far as Article 3(1) relates to bereavement payment or widowed parent’s allowance, it shall come into operation immediately after the coming into operation of Article 51(2) of, and paragraph 13 of Schedule 8 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999(9).

Interpretation

2.—(1) In this Order—

“the Administration Act” means the Social Security Administration (Northern Ireland) Act 1992;

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992(10);

(2) Sub-paragraph (1A) was inserted by regulation 4(2)(c) of S.R. 2000 No. 260

(3) S.R. 2000 No. 260

(4) S.R. 2000 No. 367

(5) Sub-paragraph (1A) was inserted by regulation 2(3)(c) of S.R. 2000 No. 260 and sub-paragraph (8) was added by regulation 2(c)(iii) of S.R. 2000 No. 367

(6) Sub-paragraph (9) was added by regulation 3(b)(iii) of S.R. 2000 No. 367

(7) Sub-paragraph (1A) was inserted by regulation 3(2)(c) of S.R. 2000 No. 260 and sub-paragraph (9) was added by regulation 4(c)(iii) of S.R. 2000 No. 367

(8) Paragraph 20M was inserted by paragraph 53(4) of Schedule 2 to S.R. 2000 No. 350 and sub-paragraph (6) was added by regulation 4(c)(vi) of S.R. 2000 No. 367

(9) S.I. 1999/3147 (N.I. 11)

(10) 1992 c. 7

“the Pension Schemes Act” means the Pension Schemes (Northern Ireland) Act 1993**(11)**;

“the Computation of Earnings Regulations” means the Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996**(12)**;

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations (Northern Ireland) 1987**(13)**;

“the Income Support Regulations” means the Income Support (General) Regulations (Northern Ireland) 1987**(14)**;

“the Jobseeker’s Allowance Regulations” means the Jobseeker’s Allowance Regulations (Northern Ireland) 1996**(15)**.

(2) The Interpretation Act (Northern Ireland) 1954**(16)** shall apply to this Order as it applies to an Act of the Assembly.

(11) 1993 c. 49

(12) S.R. 1996 No. 520

(13) S.R. 1987 No. 461; relevant amending rules are S.R. 1988 No. 314, S.R. 1989 No. 125, S.R. 1990 No. 136, S.R. 1992 Nos. 85 and 549, S.R. 1993 No. 381, S.R. 1996 No. 448, S.R. 1997 Nos. 3, 4, 22 and 113, S.R. 1998 Nos. 73 and 112 and S.R. 2000 Nos. 38, 245, 260, 365 and 367

(14) S.R. 1987 No. 459; relevant amending rules are S.R. 1988 Nos. 146, 274, 318 and 431, S.R. 1989 Nos. 139 and 249, S.R. 1990 Nos. 131, 213 and 346, S.R. 1993 Nos. 149 and 373, S.R. 1994 No. 77, S.R. 1995 Nos. 301 and 434, S.R. 1996 Nos. 199, 288, 449 and 476, S.R. 1997 Nos. 3 and 165, S.R. 1998 Nos. 81 and 112, S.R. 1999 Nos. 371(C. 28), 382 and 472 (C. 36) and S.R. 2000 Nos. 4, 38, 71, 196, 260 and 367

(15) S.R. 1996 No. 198; relevant amending rules are S.R. 1996 Nos. 288, 356, 358 and 476, S.R. 1997 Nos. 3 and 130, S.R. 1998 No. 112, S.R. 1999 No. 428 (C. 32) and S.R. 2000 Nos. 38, 71, 260, 350 and 367

(16) 1954 c. 33 (N.I.)